

ED CASE

1ST DISTRICT, HAWAII

2443 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE: 202-225-2726
FAX: 202-225-0688

1132 BISHOP STREET, SUITE 1910
HONOLULU, HI 96813
TELEPHONE: 808-650-6688
FAX: 808-533-0133

WEBSITE: CASE.HOUSE.GOV

Congress of the United States
House of Representatives
Washington, DC 20515-1101

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
MILITARY CONSTRUCTION, VETERANS AFFAIRS AND
RELATED AGENCIES

COMMERCE, JUSTICE, SCIENCE AND
RELATED AGENCIES

LEGISLATIVE BRANCH

COMMITTEE ON NATURAL RESOURCES

SUBCOMMITTEES:
NATIONAL PARKS, FORESTS AND PUBLIC LANDS

WATER, OCEANS AND WILDLIFE

INDIGENOUS PEOPLES OF THE UNITED STATES

April 30, 2019

Raquel Girvin
Regional Administrator, Western-Pacific Region
Federal Aviation Administration
777 S. Aviation Blvd., Suite 150
El Segundo, CA 90245

Dear Administrator Girvin:

As you know, yesterday a tour helicopter crashed in a residential neighborhood in Kailua, O'ahu, Hawai'i. Tragically, the pilot and two passengers were killed. By sheer happenstance, as the neighborhood is a moderately dense urban residential area, no one on the ground was injured.

I assume the causes of the crash have not yet been identified, and am informed that the National Transportation Safety Board has opened an investigation. However, the commercial operator of the helicopter, Novictor Helicopters, sustained another incident on October 22, 2018 when the same model of helicopter crash-landed in Kāne'ohe Bay, O'ahu and three people were seriously injured.

Novictor owns and operates several helicopters, which, along with several other helicopter operators, are routinely utilized for air tours over Kailua and many other residential and other occupied areas throughout O'ahu and other Hawaiian islands. These tours number upwards of 50-plus times per day most every day, operate in most all weather, and routinely fly over such areas at substantially lower altitudes than the 1,500 feet above actual ground level required absent waiver.

Immediately after yesterday's tragedy, Hawai'i State Representative Cynthia Thielen, who represents Kailua, wrote to the Hawai'i congressional delegation requesting that all tour and commercial helicopter operations throughout the state be immediately grounded until yesterday's crash is investigated. A copy of Representative Thielen's letter is enclosed.

I write to you with three urgent requests related to Hawai'i tour helicopter operations in light of yesterday's incident. First, could you please detail the steps that will now be taken to identify the causes of the accident and the options for federal government action both currently and after conclusion of the investigation to protect the public.

Second, could you please respond to Representative Thielen's request for immediate grounding pending the results of investigation, to include whether all tour helicopters should be prohibited from overflying any residential or other occupied areas of Hawai'i. Please note in this regard that today, just one day after this tragedy which narrowly avoided impacting residences as well, tour helicopter operations are continuing throughout Hawai'i including overflights of residential and other occupied areas.

Third, as you know, I wrote to you on April 4, 2019 (copy attached) regarding rapidly accelerating concerns with increasing helicopter tours throughout Hawai'i. These included the apparent widespread disregard by tour operators for minimum altitude restrictions and apparent control by the operators of the current process to update the Hawai'i Air Tour Common Procedures Manual governing time, place, altitude and other safety and noise-related operations requirements. I ask for your expedited response and your recommitment, on behalf of the Federal Aviation Administration, to place the safety, security and quality of life of Hawaii's residents and visitors first and foremost in your application of federal law and regulations governing helicopter tour operations in Hawai'i.

Thank you in advance for your assistance in reviewing and responding to these urgent questions. I remain available to work fully with FAA on this critical matter.

With aloha,



Congressman Ed Case
Hawai'i – First District

Enclosures: April 29, 2019 Letter from Hawai'i State Representative Cynthia Thielen
 April 4, 2019 Letter from U.S. Representative Ed Case